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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/538,899	03/30/2000	David William Geen	95-431	8837

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EXAMINER

CHAWAN, VIJAY B

ART UNIT	PAPER NUMBER
2654	6

DATE MAILED: 05/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/538,899

Applicant(s)

GEEN ET AL.

Examiner

Vijay B. Chawan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4,5</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

2. The abstract of the disclosure is objected to because the abstract is very long. See requirements and guidelines above. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Ladd et al., (6,269,336).

As per claim 1, Ladd et al., teaches a method in a server configured for executing web-based applications operations, the method comprising:

receiving a first hypertext markup language (HTML) request, via a hypertext transport connection, for execution of a first web-based voice application for a first user (Col.3, lines 7-19);

first storing in a data record a session identifier and a first application state that specifies an execution by a first application instance of the first web-based voice application operation for the first user (Col.8, lines 55-67);

executing a second web-based voice application operation by a second application instance for a second user based on the execution of the first web-based voice application operation for the first user (Col.9, lines 1-11); and,

second storing in the data record a second application state that specifies the execution by the second instance of the second web-based voice application operation for the second user (Col.9, lines 1-44).

As per claim 2, Ladd et al., teaches the method of claim 1, wherein the first storing step and the second storing step each include storing user attribute information that specifies attributes about the corresponding user in the data record (Col.6, lines 26-36).

As per claim 3, Ladd et al., teaches the method of claim 1, further comprising executing a third web-based voice application operation in response to reception of a second HTML request from the first browser serving the first user and based on the first application state stored in the data record, and, overwriting the first application state stored in the data record with a third application state that specifies the execution of the third web-based voice application operation for the first user (Col.6, lines 37-49).

As per claim 4, Ladd et al., teaches the method of claim 3, wherein the step of executing the third web-based voice application operation includes outputting for the first user an HTML page having extensible markup language (XML) tags that specify a group of menu options selectable by the first user and at least on media file to be played for the first user (Figure 7, Col.13, lines 41-50).

As per claim 5, Ladd et al., teaches the method of the claim 3, wherein the step of executing the third web-based voice application operation includes initiating

a third application instance in response to reception of the second HTML request, accessing by the third application instance the data record based on detecting the session identifier within the second HTML request, and, selecting for execution a stored XML document that specifies the third web-based voice application operation, based on identifying the HTML request by the first user and based on the first application state stored in the data record (Figure 8).

As per claim 6, Ladd et al., teaches the method of claim 3, further comprising, receiving via the HTTP connection a third HTML request from a second browser serving the second user, executing a selected fourth web-based voice application operation in response to the third HTML request and based on the second application state stored in the data record, and selectively storing in the record fourth and fifth application states for the first and second users, respectively, based on execution of the selected fourth web-based voice application operation (Figure 3).

As per claim 7, Ladd et al., teaches the method of claim 6, wherein the step of executing the selected fourth web-based voice application operation includes sending XML tags specifying a bridge command to at least one of the first and second browsers for bridging the first and second udders based on detection of a prescribed command within the third HTML request, the selectively storing step including specifying within the data record the fourth and the fifth application states based on sending the bridge command (Figures 5A and 5B).

As per claim 8, Ladd et al., teaches the method of claim 6, wherein the step of executing the selected fourth web-based voice application operation includes outputting to the first user a second HTML page having XML tags that specify a record operation for recording a message, the selectively storing step including specifying as the fourth application state a leave message operation, and specifying as the fifth application state an unavailability of the second user (Figure 3, Figures 5A and 5B).

As per claim 9, Ladd et al., teaches the method of claim 1, further comprising generating the data record as an XML document configured for storing a plurality of application states for respective states for respective users according to the session identifier, the first storing step including storing a first subsession identifier for the first user, and storing a second subsession identifier for the second user (Figures 7 and 9).

As per claim 10, Ladd et al., teaches the method of claim 9, further comprising selectively executing respective web-based voice application operations independently for the first and second users based on respective HTML requests received from the first and second users and the first and second application state stored in a data record (Figure 1).

AS per claim 11, Ladd et al., teaches the method of claim 10, wherein the selectively executing step includes executing a selected voice application operation for requesting bridging of the first and second users based on a prescribed HTML

request received from the second user, the method further comprising third storing in the data record a third application state for the first and second users specifying the bridging (Figures 1, 3, 5A and 5B, 7, 8 and 9).

As per claim 12, Ladd et al., teaches the method of claim 11, wherein the selectively executing step further includes executing a second selected voice application for requesting disconnection of the bridging based on a second prescribed HTML request received from an HTML browser serving one of the first and second users and the stored third application state, the method further comprising fourth storing in the data record a fourth application state for the first and second users specifying the disconnection of the bridging (Figures 1, 3, 5A and 5B, 7, 8 and 9).

As per claim 13, Ladd et al., teaches the method of claim 12, further comprising selectively executing a second group of respective web-based voice application operations independently for the first and second users based on respective HTML requests received from the first and second users and the fourth application state stored for the first and second users in the data record (Figures 1, 3, 5A and 5B, 7, 8 and 9).

As per claim 14, Ladd et al., teaches the method of claim 1, further comprising controlling write access to the data record by one of the first and second application instances based on prescribed read/write protocol within the server (Figures 1, 3, 5A and 5B, 7, 8 and 9).

Claims 15-28 are directed toward a computer readable medium having stored thereon sequences of instructions for executing web-based voice application operations by a server are similar in scope and content of method claims 1-14 and are rejected under similar rationale.

Claims 29-34 are system claims to implement the method of claims 1-14 and are similar in scope and content, and are rejected under similar rationale.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Imielinski et al., (6,240,448) teach a method and system for audio access to information in a wide area computer network.

Boyd et al., (6,112,238) teach a system and method for analyzing remote traffic data in a distributed computing environment.

Martin et al., (6,338,066) teach a surfaid predictor: web-based system for predicting surfer behavior.

Howard et al., (6,278,966) teach a method and system for emulating web site traffic to identify web site usage patterns.

Cohen et al., (6,560,576) teach a method and apparatus for providing active help to a user of a voice-enabled application.

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Danner et al., (6,711,618) teach an apparatus and method for providing server state and attribute management for voice enabled web applications.

Dodrill et al., (6,578,000) teach a browser based arrangement for developing voice enabled web applications using extensible markup language documents.

Dodrill et al., (6,490,564) teach an arrangement for defining and processing voice enabled web applications using extensible markup language documents.

Bateman et al., (5,884,032) teach a system for coordinating communications via customer contact channel changing system using call center for setting up the call between customer and an available help agent.

Mandalia et al., (5,907,598) teach multimedia web page applications for AIN technology.

Bowater et al., (6,052,367) teach a client server system.

Bayeh et al., (6,098,093) teach maintaining sessions in a clustered server environment.

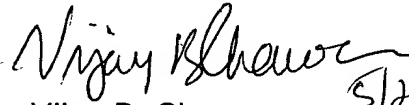
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vijay B. Chawan whose telephone number is (703) 305-3836. The examiner can normally be reached on Monday Through Thursday 7-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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5/20/04
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